

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

06-20417-CR-JORDAN / KLEIN
CASE NO.

18 U.S.C. § 242

18 U.S.C. § 1001(a)(2)

UNITED STATES OF AMERICA

vs.

ALTON LEON BENNETT,

Defendant.

INDICTMENT

The Grand Jury charges that:

COUNT 1

On or about March 27, 2002, at the Everglades Correctional Institution in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

ALTON LEON BENNETT,

then a correctional officer employed by the State of Florida, while acting under color of the laws of the State of Florida, did act with deliberate indifference to a substantial risk of serious harm by failing to prevent an assault upon inmate "M.B.," resulting in bodily injury to him, and did thereby willfully deprive him of the right secured and protected by the Constitution of the United States to be free from cruel and unusual punishment, which includes the right to be free from harm while in official custody.

In violation of Title 18, United States Code, Section 242.

COUNT 2

On or about March 27, 2002, at the Everglades Correctional Institution in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

ALTON LEON BENNETT,

then a correctional officer employed by the State of Florida, while acting under color of the laws of the State of Florida, did act with deliberate indifference to a substantial risk of serious harm by failing to prevent an assault upon inmate "S.H.," resulting in bodily injury to him, and did thereby willfully deprive him of the right secured and protected by the Constitution of the United States to be free from cruel and unusual punishment, which includes the right to be free from harm while in official custody.

In violation of Title 18, United States Code, Section 242.

COUNT 3

On or about July 16, 2004, at North Miami Beach, in Miami-Dade County, in the Southern District of Florida, and elsewhere, in a matter within the jurisdiction of the Department of Justice, Federal Bureau of Investigation, an agency of the executive branch of the United States, the defendant,

ALTON LEON BENNETT,

did knowingly and willfully make a false, fraudulent and fictitious statement to a material fact in that the defendant stated that, on the morning of March 27, 2002, while he was on duty as a correctional officer at the Everglades Correctional Institution, he opened the cells of all of the inmates in G Dorm of the Everglades Correctional Institution at the same time, when in truth and in fact, as the defendant then and there well knew, on the morning of March 27, 2002, while he was on duty as a

correctional officer at the Everglades Correctional Institution, he had opened the cells of inmates "D.H.", "J.B.", "M.B.", and "S.H" at least several minutes before he opened the cells of the other inmates housed in G Dorm of the Everglades Correctional Institution.

In violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL

RPP
FOREPERSON

1 Sub A. N. A. 1

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

William White for

ROBERT B. KURZWEIL
TRIAL ATTORNEY
U.S. DEPARTMENT OF JUSTICE

William White

WILLIAM WHITE
ASSISTANT UNITED STATES ATTORNEY